

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 11905 281946Z

61

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INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SPC-03

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 2519

INFO AMEMBASSY BONN

USMISSION GENEVA

AMEMBASSY LONDON

USMISSION NATO

AMEMBASSY PARIS

USMISSION USUN

USIA WASHDC

C O N F I D E N T I A L MOSCOW 11905

E.O. 11652: GDS

TAGS: PFOR, UN, UR

SUBJECT: SOVIET PRESS PLAYS UP RATIFICATION OF HUMAN RIGHTS
CONVENTION

GDNEVA FOR USDEL CSCE

REF: MOSCOW 11751

1. SUMMARY. A RASH OF LONG AND "SCHOLARLY" PRESS DISCUSSIONS
OF SOVIET RATIFICATION OF INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL, AND CULTURAL RIGHTS AND INTERNATIONAL COVENANT ON
CIVIL AND POLITICAL RIGHTS (REFTEL) INDICATES SOVIETS ARE
TREATIN THEIR ACTION AS IMPORTANT FOREIGN POLICY INITIATIVE
WHICH NEEDS DOMESTIC ELUCIDATION. ARTICLES EMPHASIZE

QUALIFICATIONS ON IMPLEMENTATION OF USCH COVENANT
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PAGE 02 MOSCOW 11905 281946Z

OBLIGATIONS AS FREE EMIGRATION, AND PLAY UP FACT THAT MOST

WESTERN NATIONS HAVE NOT ACTED FAVORABLY ON COVENANTS. WE EXPECT SOVIETS TO ARGUE IN CSCE THAT RATIFICATION IS "CONCRETE STEP" IN BASKET THREE AND TO PUT MONKEY ON WESTERN BACKS FOR INACTION. ONE OF PRESS ACCOUNTS, IN PASSING, COMES CLOSE TO ADMITTING

THAT SOVIETS JAM RADIO LIBERTY. END SUMMARY.

2. SOVIET RATIFICATION OF TWO HUMAN RIGHTS COVENANTS HAS ALREADY BEEN FEATURED IN ARTICLES IN PRAVDA, NEW TIMES, AND RURAL LIFE (ALL SEPTEMBER 28) AND SOVYETSKAYA ROSSIYA (SEPTEMBER 27). BURDEN OF THEIR SONG IS THAT, RIGHT FROM INITIAL UN CONSIDERATION OF UNIVERSAL DECLARATION ON HUMAN RIGHTS, USSR HAS BEEN CONSISTENT CHAMPION OF THOSE

RIGHTS AGAINST WESTERN (PARTICULARLY U.S.) EFFORTS TO USE THEM AS BASIS FOR INTERFERENCE IN INTERNAL AFFAIRS AND TO EXCLUDE FROM COVENANTS SUCH FUNDAMENTAL RIGHTS AS SELF-DETERMINATION, LABOR, SOCIAL SECURITY, FREEDOM FROM RACIAL DISCRIMINATION, AND EQUALITY OF WOMEN.

3. MOST DETAILED COMMENTARY, BY PHILOSOPHY CANDIDATE YU. RESHETOV (NEW TIMES NUMBER 39), TREATS DIRECTLY AND WITH UNUSUAL CANDOR THE FREE EMIGRATION ISSUE POSED IN ARTICLE 12 OF COVENANT ON CIVIL AND POLITICAL RIGHTS. BOURGEOIS PROPAGANDA, SAYS RESHETOV, TRIES TO USE ARTICLE AGAINST SOCIALIST COUNTRIES, ASSERTING THAT THEY DENY RIGHT OF FREE EMIGRATION. IN REBUTTAL HE ASSERTS THAT IN MOST STATES IMMIGRATION AND EMIGRATION ARE REGULATED BY LAW. HE CITES OPINION OF PROBATE JUDGE J. INGLES THAT ONLY A FEW COUNTRIES RECOGNIZE RIGHT OF CITIZENS TO LEAVE THEIR COUNTRY, AND THAT EVEN THERE THE RIGHT IS CONDITIONED ON FACTORS LIKE NATIONAL SECURITY. SUCH CAVEATS, RESHETOV CONTINUES, ARE RECOGNIZED IN THE COVENANT, WHICH SIMILARLY RESTRICTS RIGHT FREEDOM OF THOUGHT, CONSCIENCE, RELIGION, AS WELL AS RIGHT TO RECEIVE AND DISSEMINATE INFORMATION AND IDEAS.

4. IN ELABORATING THIS LAST POINT, RESHETOV SAYS: "SOME PEOPLE IN WEST EXPRESS DISSATISFACTION WITH FACT THAT SOCIALIST STATES RESTRICT DISSEMINATION OF 'INFORMATION' AND 'IDEAS' WHICH SUBVERSIVE PROPAGANDA ORGANS LIKE RL AND RFE SEEK TO CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MOSCOW 11905 281946Z

IMPOSE." THIS INDIRECT ADMISSION OF JAMMING CONTRASTS SHARPLY WITH GENERAL IMPLICATION CONVEYED THROUGHOUT CURRENT ANTI-RL PRESS CAMPAIGN THAT STATION CAN BE FREELY HEARD IN USSR.

5. RESHETOV ALSO REFERS TO COVENANT'S ARTICLES ON PEACEFUL ASSEMBLY (21) AND FREEDOM OF ASSOCIATION (22), BUT HERE TOO CITES RESERVATIONS REQUIRING RESPECT FOR NATIONAL OR PUBLIC SECURITY. ADVERTING TO STANDARD SOVIET LINE ON CSCE BASKET

THREE, HE CLAIMS THAT REALIZATION OF RIGHTS PROVIDED FOR IN COVENANT CANNOT VIOLATE "A COUNTRY'S SOVEREIGNTY, ITS LAWS, AND THE TRADITIONS AND CUSTOMS OF ITS PEOPLES." DESIRE OF WEST TO INTERFERE IN INTERNAL AFFAIRS OF SOCIALIST COUNTRIES IS IN FACT A LEITMOTIV OF ALL THE ABOVE-NOTED PRESS ACCOUNTS OF THE TWO COVENANTS. RURAL LIFE CLAIMS THAT SUCH A DESIRE WAS BEHIND WESTERN EFFORTS TO INCLUDE IN COVENANT ON CIVIL AND POLITICAL RIGHTS A PROCEDURE FOR COMPLAINTS AGAINST GOVERNMENTS BY PRIVATE PERSONS (A REFERENCE TO SEPARATE PROTOCOL WHICH, WE UNDERSTAND, SOVIETS DID NOT SIGN).

6. PRESS ACCOUNTS EMPHASIZE THAT, AS PRAVDA ARTICLE (CO-AUTHORED BY RESHETOV AND MFA TREATY AND LEGAL DIVISION DIRECTOR KHLESTOV) PUTS IT, "CERTAIN WESTERN COUNTRIES, POLITICAL LEADERS, AND PROPAGANDISTS WHO NEVER TIRE OF REITERATING THEIR SUPPORT FOR IDEALS OF DEMOCRACY AND PROGRESS..CONTINUE TO TAKE A NEGATIVE POSITION ON THE CSWVENANTS." U.S. AND FRANCE ARE SINGLED OUT AS NOT EVEN HAVING SIGNED THEM.

7. COMMENT. THIS SOVIET ACTION IN THE HUMAN RIGHTS FIELD HAS CLER IMPLICATIONS FOR CSCE. IT SEEMS INEVITABLE THAT SOVIET NEGOTIATORS IN GENEVA WILL PORTRAY IT AS "CONCRETE PROGRESS" IN BASKET THREE AREA AND WILL POINT TO WESTERN FAILURE TO ACT ON THE COVENANTS AS PROOF THAT OUR MONEY ISN'T WHERE OUR MOUTH IS. AT THE SAME TIME THE EXEGESIS UNFOLDING IN THE PRESS SEEKS TO WHITTLE DOWN TO NOTHING ACTUAL OBLIGATIONS IN CRUCIAL AREAS LIKE EMIGRATION. APAR FROM THESE PURELY TACTICAL CONSIDERATIONS, TO ACCEP TAS A TREATY OBLIGATION THE PRINCIPLE OF FREE EMIGRATION -- EVEN WHILE HEDING IT WITH DISCLAIMERS -- IS NOT AN INCONSIDERABLE STEP IN THIS SOCIETY. AT THIS POINT WE WOULD NOT EXCLUDE THE POSSIBILITY THAT THE SVOEIT DECISION ON RATIFICATION -- AND THE INTENSE EFFORT TO EXPLAIN IT -- ARE RELATED TO THE INTERNAL DILEMMA OVER THE CONFIDENTIAL

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PAGE 04 MOSCOW 11905 281946Z

CONFLICTING IMPERATIVES OF FOREIGN POLICY AND INTERNAL SECURITY.
DUBS

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